

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

| | |
|--|--|
| AGENDA TITLE: ZMA202100001 Willow Glen | AGENDA DATE: February 1, 2023 |
| SUBJECT/PROPOSAL/REQUEST: Amend application plan and proffers associated with ZMA200600019 to change the proposed dwelling units from a mix of residential types to all multi-family units; increase the number of dwelling units by 126; modify proffers for affordable housing, cash contributions, and a connection with Towncenter Blvd. Special exception requests to modify the recreational facilities requirements for residential uses (SE202100007) and to modify the parking requirements for residential uses (SE202100008). | STAFF CONTACTS: Filardo, McDermott, Ragsdale, Reitelbach |
| SCHOOL DISTRICTS: Albemarle High, Lakeside Middle, Baker-Butler Elementary | PRESENTER: Andy Reitelbach, Senior Planner II |

BACKGROUND:

At its meeting on Tuesday, November 22, 2022, the Planning Commission (PC) conducted a public hearing and voted 4:2 to recommend approval of ZMA202100001 based on the positive aspects identified in the staff report, along with a suggested revision to the application plan to provide a more substantial buffer between parking areas and the proposed stormwater management pond, which acts as an amenity for the development, with proposed trails and benches constructed around it.

With the recommendation of approval of the rezoning, the PC also voted 6:0 to recommend approval of both special exception requests: (i) SE202100007 for substitutions of recreational facilities and (ii) SE202100008 to reduce required parking by 5%. The PC's staff report, action letter, and meeting minutes are attached (Attachments A, B, and C).

At the PC meeting, staff did not recommend approval of the proposed Zoning Map Amendment. However, staff had no objections to the approval of the two special exception requests if the PC chose to recommend approval of the ZMA.

DISCUSSION:

The PC discussed several elements and concerns with the proposed new Willow Glen plan, including the following:

- 1) The proposed increase in density in Phase 2 with 126 more residential units in the development area than was permitted in the original 2006 rezoning.
- 2) The change in unit types from a mixture, such as single-family detached, townhouses, duplexes, and condos, to only a single unit type of multi-family apartments.
- 3) The layout of the site as shown on the proposed new application plan, which does not improve the residential units, parking, and open space from the application plan approved with ZMA200600019.
- 4) The removal of the vehicular interconnection between existing Phase 1 and proposed Phase 2 of Willow Glen, effectively making the two phases separate developments, which is not consistent with the intent of PRD planned residential developments and is inconsistent with policies promoting interconnections.

Since the PC public hearing, the applicant has made several changes to the application to address

comments and concerns raised at that meeting. The applicant has revised its project narrative (Attachment D), application plan (Attachment E), recreational facilities substitution exhibit (Attachment F), and proffers (Attachment G).

The application plan has been updated to widen the buffer area between the pond and the nearby parking lot to provide sufficient space for the extension of the trail to fully encircle the pond. This extension of the trail allows expanded pedestrian opportunities in the development. The recreational facilities substitution exhibits have been similarly updated with the trail extension.

The proffer statement has been revised (Attachment G) to remove proposed proffer #3 for ZMA2021-00001. It was determined that this proffer was not needed, since the proposed application plan depicts the existing Shannon Glen Court as terminating in Phase 1, making the proffer redundant. Proffer #3 from the original 2007 proffer statement remains in effect for Phase 1 of Willow Glen. However, this proffer has not been satisfied at this time, as Shannon Glen Court has not yet been accepted by VDOT for maintenance. The applicant continues to work with both VDOT and County staff to address the remaining requirements for acceptance by VDOT. This process has not been completed, and until VDOT is ready to accept the street for maintenance, staff cannot guarantee that the street will be accepted.

In addition to several community members who spoke at the PC public hearing, a petition signed by residents of Willow Glen Phase 1 was provided after publication of the PC staff report. This petition is now provided as Attachment H.

RECOMMENDATIONS:

Although staff recommended denial of the proposed rezoning ZMA202100001 Willow Glen, the PC recommended approval. As a result, staff has prepared both an ordinance to approve (Attachment I) and a resolution to deny (Attachment J).

If the rezoning is approved, staff recommends approval of the associated special exceptions. Resolutions to approve the special exceptions are provided as Attachments K and L.

ATTACHMENTS:

- A. Planning Commission Staff Report
 - A1. Location Map
 - A2. Zoning Map
 - A3. Project Narrative, dated January 19, 2021; last revised March 21, 2022
 - A4. Application Plan, dated January 19, 2021; last revised November 1, 2022
 - A5. Draft Proffer Statement
 - A6. Conceptual Sidewalk Improvement Exhibit, dated March 21, 2022
 - A7. Original Proffer Statement Approved with ZMA2006-00019, dated October 10, 2007
 - A8. Staff Analysis of Application's Consistency with Neighborhood Model Principles
 - A9. Recreational Facilities Substitution Request, dated January 19, 2021; last revised March 21, 2022
 - A10. Recreational Facilities Substitution Exhibits, dated January 19, 2021; last revised November 1, 2022
 - A11. Parking Reduction Request, dated January 19, 2021; last revised October 18, 2021
 - A12. Comments from Community Members
- B. Planning Commission Action Letter
- C. Planning Commission Minutes from November 22, 2022
- D. Revised Project Narrative, dated January 5, 2023
- E. Revised Application Plan, last revised January 5, 2023
- F. Revised Recreational Facilities Substitution Exhibits, last revised January 5, 2023
- G. Revised Proffer Statement
- H. Community Member Petition
- I. Resolution to Deny ZMA202100001
- J. Ordinance to Approve ZMA202100001
- K. Resolution to Approve SE202100007
- L. Resolution to Approve SE202100008